

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission	:	
On Its Own Motion	:	
	:	02-0845
Implementation of the Restricted Call	:	
Registry Act.	:	

INTERIM ORDER

By the Commission:

On August 9, 2002, the Restricted Call Registry Act ("Act") became law with the enactment of P.A. 92-0795. On December 17, 2002, the Illinois Commerce Commission ("Commission") entered an order that adopted emergency rules and that authorized the submission to the Illinois Secretary of State of the notices of emergency rules and proposed rules. These notices were published on January 10, 2003 to adopt rules by January 1, 2003 to implement the Act.

On October 1, 2003, the Commission Staff filed a motion in this proceeding that recounted the enactment of amendments to the Act in P.A. 93-0049. These amendments became effective on June 30, 2003. The Staff moved that the Commission take administrative notice of this Public Act, which the Commission agrees is proper to do. Staff further moved that the Commission withdraw the proposed rules published on January 10, 2003 in the *Illinois Register*, since these proposed rules no longer would implement the Act as amended by P.A. 93-0049. Attached to the motion were a draft order and new draft rules to be submitted to the Secretary of State. These draft rules represent the Staff's efforts to implement the Act as amended by P.A. 93-0049. Much of the draft rules represents a recitation of the statutory language of the Act.

The Commission is in agreement with the motion filed by Staff. The rules currently proposed to implement the Act no longer retain the relevancy necessary for proper implementation of the Act.

The Commission, having considered the entire record and being fully advised in the premises, is of the opinion and finds that:

- (1) the Commission has jurisdiction over the subject matter herein;
- (2) the recitals of fact set forth in the prefatory portion of this order are supported by the record and are hereby adopted as findings of fact;
- (3) the Commission should take administrative notice of P.A. 93-0049;

- (4) the proposed rules for 14 Ill. Adm. Code 300, published in the *Illinois Register* on January 10, 2003 at 27 Ill. Reg. 438, should be withdrawn and a Notice of Withdrawal of Proposed Rules should be submitted to the Secretary of State pursuant to 1 Ill. Adm. Code 100.440;
- (5) the notice of proposed rules for 14 Ill. Adm. Code 300, as reflected in the attached Appendix, should be submitted to the Secretary of State pursuant to Section 5-40 of the Illinois Administrative Procedure Act.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that a Notice of Withdrawal of Proposed Rules for 14 Ill. Adm. Code 300, published in the *Illinois Register* on January 10, 2003 at 27 Ill. Reg. 438, be submitted to the Secretary of State.

IT IS FURTHER ORDERED that the Notice of Proposed Rules for 14 Ill. Adm. Code 300, as reflected in the attached Appendix, be submitted to the Secretary of State pursuant to Section 5-40 of the Illinois Administrative Procedure Act.

IT IS FURTHER ORDERED that the Commission takes administrative notice of P.A. 93-0049.

IT IS FURTHER ORDERED that this Order is not final; it is not subject to the Administrative Review Law.

By order of the Commission this 22nd day of October, 2003.

(SIGNED) EDWARD C. HURLEY

Chairman